

### **III. Remarks**

Claims 1-5 and 7-16 were pending in this application and have been rejected. The present amendment amends claims 1, 4 and 12 to more particularly point out and clarify Applicants' invention. No new matter has been added by the present amendment. After this amendment, claims 1-5 and 7-16 will be pending.

Reconsideration of the application in view of the following remarks is respectfully requested.

#### **Oath/Declaration**

Applicants acknowledge Examiner's request for a new oath or declaration in compliance with 37 CFR 1.67(a). The new oath or declaration will be submitted to the USPTO in the near future after being completed by the Applicants. Applicants thank the Examiner for her patience in this matter.

#### **Objection to the Drawings**

Applicants have amended claim 4 by deleting "the seams are formed integrally with the air-bag" and by adding that the one piece of woven fabric "forms the at least two super-imposed layers of fabric". Applicants submit that the features of claim 4 are now shown in Figure 1. This amendment was in response to an objection that the features of claim 4 must be shown in the drawings or the features must be cancelled from the claim. Accordingly,

Applicants believe that the amendment to claim 4 has cured the respective objection.

*Objections to the Claims*

Applicants have amended claim 4 to recite that the air-bag is formed from one piece of woven fabric. This amendment has in response to an objection that “in line 2 after ‘piece’, --of-- should be inserted”. Accordingly, Applicants believe that the amendment has cured the respective objection.

*Rejections under 35 U.S.C. § 102*

Claims 1-3, 5, 7-8, 11-13, and 16 were rejected under 35 U.S.C. § 102(a) as being anticipated by U. S. Patent Application Publication No. 2002/0158450 issued to Hoeft et al (“Hoeft”). In view of the amendment and remarks contained herein, Applicants respectfully submit that the rejections of claims 1-3, 5, 7- 8, 11-13 and 16 are traversed.

Claims 1 and 12 were amended to recite that each of the mounting elements are positioned centrally of a corresponding adjacent pair of partitions. Support for this amendment may be found in Applicants’ application at paragraphs [0010], [0035] and [0039], and Figures 1-2.

Hoeft discloses a folded configuration for an air-bag curtain used for a safety restraint system. The air-bag curtain is inflatable between an occupant and a lateral surface of a vehicle, such as a door or side window. *Hoeft* at Abstract. The air-bag curtain 10 may be produced in two pieces which are

attached together by various methods including sewing. Seams 63 are used to attach the pieces together to form a plurality of distinct chambers 65, each of which will hold gas. The air-bag curtain 10 also includes several attachment tabs 54. The attachment tabs 54 extend beyond the first edge 50 of the air-bag curtain 10 so that after the air-bag curtain is folded and rolled in a fully folded state, it can be attached to the roof rail. *Id.* at paragraphs [0030]–[0033]. As illustrated in Figure 3, the tabs 54 either touch or overlap only one of the adjacent seams 63 while being substantially spaced apart from the opposed adjacent seam 63. Accordingly, the attachment tabs 54 are not centrally positioned between the seams 63.

This is unlike applicant's invention as recited in claims 1 and 12 where each of the mounting elements are positioned centrally of a corresponding adjacent pair of partitions. In that Hoeft lacks the noted elements of claims 1 and 12, Applicants respectfully submit that the rejections based thereon should be withdrawn. Accordingly, Applicants believe claims 1 and 12 and their dependent claims 2-3, 5, 7-8, 11, 13, and 16 are in a condition for allowance.

*Rejections under 35 U.S.C. § 103*

Claims 4, 9, and 14 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Hoeft in view of United States Patent No. 6,429,155 issued to Li et al. ("Li"). Applicants respectfully submit that the rejection of claims 4, 9 and 14 are traversed.

Since claims 4, 9 and 14 depend from claims 1 or 12 and since Li fails to disclose that each of the mounting elements are positioned centrally of a correspondingly adjacent pair of partitions, the combination of Hoeft and Li cannot render the claims of the present invention as obvious. The rejection under § 103(a) is therefore improper and should be withdrawn.

Conclusion

In view of the above amendments and remarks, it is respectfully submitted that the present form of the claims are patentably distinguishable over the art of record and that this application is now in condition for allowance. Such action is respectfully requested.

Respectfully submitted,

Dated: April 23, 2009

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